

STATE OF MINNESOTA
IN SUPREME COURT

OFFICE OF
APPELLATE COURTS

AUG 11 2006

A06-1508

FILED

Louis H. Reiter,

Petitioner,

vs.

Mary Kiffmeyer, individually and as
Secretary of State of Minnesota,

Respondent.

O R D E R

Petitioner has filed a petition pursuant to Minn. Stat. § 204B.44 (2004) asking this court to direct respondent to remove the name of Gil Gutknecht from the ballot for the primary election to be held on September 12, 2006, as a candidate for the nomination of the Republican Party for United States Representative from the First Congressional District, Minnesota, or to show cause why she should not do so. Petitioner alleges that candidate Gutknecht filed a petition in place of the filing fee that does not comply with the requirements of Minn. Stat. § 204B.11, subd. 2 (2004).

Based upon all the files, records and proceedings herein,

IT IS HEREBY ORDERED THAT:

1. Petitioner shall serve a copy of the petition and supporting documents on Gil Gutknecht and any other individuals who filed for the Republican Party nomination for First Congressional District representative no later than Tuesday, August 15, 2006. Petitioner shall file and serve any additional materials supporting his petition by the same

deadline. Petitioner shall file with the Clerk of Appellate Courts an affidavit of service no later than Wednesday, August 22, 2006.

2. Respondent and candidates served under this order shall file with the Clerk of Appellate Courts and serve on petitioner their written responses to the petition, if any, and any supporting materials not later than 4:30 p.m., Thursday, August 17, 2006. The respondent shall inform the court of the date by which a decision of this court is necessary in order to prepare the ballot for the September 12 election.

3. The court will advise the parties of the date, time, location and format of a hearing.

4. Service and filing by mail is permissible if a complete copy of the material is transmitted electronically by facsimile, or e-mail in Word or PDF format, to all parties and the Clerk of Appellate Courts by the deadlines imposed herein. Counsel for each party shall notify the Clerk of Appellate Courts and opposing counsel of a fax number to which documents may be transmitted and, if willing to accept documents by e-mail, an e-mail address to which documents can be sent in Word or PDF format. The facsimile number for the Clerk of Appellate Courts is 651-297-4149. An e-mail address to which documents can be transmitted for the Clerk of Appellate Courts will be provided to the parties by separate notice.

Dated: August 11, 2006

BY THE COURT:



Russell A. Anderson
Chief Justice